

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  D.C.

05 JUN 14 PM 3:19

ROBERT R. DI TROLLO
CLERK, U.S. DIST. CT.
W.D. OF TN. MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal No. 97-20190-Ma

KENNETH McMULLEN,

Defendant.

ORDER CONTINUING HEARING
FOR REASON THAT DEFENDANT
WILL BE UNDERGOING MENTAL EVALUATION

This cause came on to be heard this date, upon unopposed, oral motion of the United States, and upon the entire record in this cause; and

IT SATISFACTORILY APPEARING TO THE COURT:

1. On May 27, 2005, the Court entered an order, pursuant to Title 18, United States Code, Section 4243, remanding the Defendant to the custody of the Attorney General, to be transported to the United States Medical Center for Federal Prisoners in Springfield, Missouri, and to remain at said Medical Center for a period not to exceed forty-five days. Further that, during said period, psychiatric and psychological examinations shall be conducted, regarding the Defendant, and a report thereafter filed with the Court pursuant to Section 4247(b) and (c).

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 6/15/05



2. Presently, a hearing has been set by the Court for Wednesday, June 22, 2005. The psychological and psychiatric reports will be needed by the Court and parties prior to the hearing in this matter.

3. The Defendant, nor the ordered mental examinations will be available for a hearing on June 22, 2005.

4. Counsel for the Defendant, April R. Goode, Assistant Federal Defender, is currently out of town for the remainder of this week. Randolph Alden, Assistant Federal Defender, has been informed about the above-referenced oral motion for a continuance in this matter and has authorized the Government to state that there is no opposition on behalf of the Defendant to said motion.

IT IS THEREFORE ORDERED:

That the hearing in this matter, presently set for Wednesday, June 22, 2005, is hereby continued to a new date of Thursday, August 18, 2005, at 10:00 a.m. Further, that all time between June 22, 2005 and the new hearing date set by the Court is excluded under the provisions of the Speedy Trial Act.

ENTER THIS 13th DAY OF JUNE, 2005.



SAMUEL H. MAYS
United States Magistrate Judge



Notice of Distribution

This notice confirms a copy of the document docketed as number 52 in case 2:97-CR-20190 was distributed by fax, mail, or direct printing on June 15, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT